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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF AGRICULTURE

Under authority of § 6.1 (a) of Executive Order 9830, and at the request of the Department of Agriculture, the Commission has determined that the positions listed below should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.111 is amended by the addition of paragraph (n) as follows:

§ 6.111 *Department of Agriculture.*

* * *

(n) *Bureau of Human Nutrition and Home Economics.* (1) *NC/PD.* Temporary, intermittent field enumerators and supervisors at salaries not exceeding entrance rate of CAF–5 or its equivalent, for not to exceed 180 working days a year.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 9830, Feb. 24, 1947, 12 F. R. 1259, 3 CFR, 1947 Supp.; E. O. 9973, June 28, 1948, 13 F. R. 3600, 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 49-6059; Filed, July 22, 1949; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Plum Order 17, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Sharkey plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Sharkey plums grown in the State of California.

(b) *Order, as amended.* On and after 12:01 a. m., P. s. t., July 21, 1949, the provisions in paragraph (b) of § 936.363 (Plum Order 17, 14 F. R. 3769) shall read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 21, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, no shipper shall ship any package or container of Sharkey plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^{11}/_{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the

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FEDERAL REGISTER

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plums contained in such pack measure not less than 1 9/16 inches in diameter; and (iii) no plums contained in such pack measure less than 1 7/16 inches in diameter.

(3) Each shipper, prior to making each shipment of Sharkey plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the Sharkey plums contained in each such shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

The shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(c) Nothing contained herein shall be construed (1) as affecting or waiving any right or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of said Plum Order 17, or (2) as releasing or extinguishing any violation of said Plum Order 17 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq; 7 CFR Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 20th day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-6060; Filed, July 22, 1949; 8:52 a. m.]

[Plum Order 18, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Kelsey plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Kelsey plums grown in the State of California.

(b) *Order, as amended.* On and after 12:01 a. m., P. s. t., July 21, 1949, the provisions in paragraph (b) (1) of § 936.364 (Plum Order 18, 14 F. R. 3770) shall read as follows:

(1) During the period beginning at 12:01 a. m., P. s. t., July 21, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, no shipper shall ship from any shipping point during any day any package of container of Kelsey plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of twenty-five (25) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) At least ninety (90) percent, by number of packages, of such plums are of a size not smaller than a size that will pack a 4 x 4 standard pack in a standard basket and the remainder of such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket: *Provided*, That, if such shipper, during any two (2) consecutive days, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped only during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack such 4 x 4 standard pack that such shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days. The aforesaid 4 x 4 standard pack and 4 x 5 standard pack are defined more specifically in subparagraphs (2) and (3), respectively, of this paragraph.

(c) Nothing contained herein shall be construed (1) as affecting or waiving any right or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provisions of said Plum Order 18, or (2) as releasing or extinguishing any violation of said Plum Order 18 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 20th day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-6061; Filed, July 22, 1949; 8:52 a. m.]

[Plum Order 20]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.366 *Plum Order 20*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Late Duarte plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 24, 1949. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop and adequate information thereon was not available to the Plum Commodity Committee until July 19, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 19, 1949, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 24, 1949, and this section should be applicable to all shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 24, 1949, and ending at 12:01 a. m., P. s. t., December 1, 1949, no shipper shall ship from any shipping point during any day any package or container of Late Duarte plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) At least eighty (80) percent, by number of packages, of such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket and the remainder of such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket: *Provided*, That, if such shipper, during any two (2) consecutive days, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped only during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack such 4 x 5 standard pack that such shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days. The aforesaid 4 x 5 standard pack and 5 x 5 standard pack are defined more specifically in subpara-

graphs (2) and (3), respectively, of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1 11/16 inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than 1 9/16 inches in diameter; and (iii) no plums contained in such pack measure less than 1 7/16 inches in diameter.

(3) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1 9/16 inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than 1 7/16 inches in diameter; and (iii) no plums contained in such pack measure less than 1 5/16 inches in diameter.

(4) Each shipper, prior to making each shipment of Late Duarte plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the Late Duarte plums contained in each such shipment: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m., of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(5) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 21st day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-6097; Filed, July 22, 1949; 9:46 a. m.]

[Plum Order 21]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.367 *Plum Order 21*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shpments of Giant plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 24, 1949. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop and adequate information thereon was not available to the Plum Commodity Committee until July 19, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 19, 1949, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 24, 1949, and this section should be applicable to all shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 24, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, no shipper shall ship any package or container of Giant plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) Such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1 9/16 inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than 1 7/16 inches in diameter; and (iii) no plums contained in such pack measure less than 1 5/16 inches in diameter.

(3) Each shipper, prior to making each shipment of Giant plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the Giant plums contained in each such shipment: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m., of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the

term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(48 Stat. 31, as amended; 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 21st day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-6096; Filed, July 22, 1949; 9:46 a. m.]

[Plum Order 22]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.368 *Plum Order 22*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Grand Duke plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 24, 1949. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop and adequate information thereon was not available to the Plum Commodity Committee until July 19, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 19, 1949, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 24, 1949, and this section should be applicable to all shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 24, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, no shipper shall ship any package or container of Grand Duke plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) Such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^9/_{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1^7/_{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1^5/_{16}$ inches in diameter.

(3) Each shipper, prior to making each shipment of Grand Duke plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the Grand Duke plums contained in each such shipment: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m., of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 21st day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-6091; Filed, July 22, 1949; 9:45 a. m.]

[Plum Order 23]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.369 *Plum Order 23*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of President plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 24, 1949. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop and adequate information thereon was not available to the Plum Commodity Committee until July 19, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 19, 1949, after consideration of all available information relative to the supply and demand conditions for such plums,

at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 24, 1949, and this section should be applicable to all shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 24, 1949, and ending at 12:01 a. m., P. s. t., December 1, 1949, no shipper shall ship from any shipping point during any day any package or container of President plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) At least ninety (90) percent, by number of packages, of such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket and the remainder of such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket: *Provided,* That, if such shipper, during any two (2) consecutive days, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped only during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack such 4 x 5 standard pack that such shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days. The aforesaid 4 x 5 standard pack and 5 x 5 standard pack are defined more specifically in subparagraphs (2) and (3), respectively, of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{11}{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1\frac{9}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{7}{16}$ inches in diameter.

(3) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{9}{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1\frac{7}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{5}{16}$ inches in diameter.

(4) Each shipper, prior to making each shipment of President plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the President plums contained in each such shipment: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m., of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(5) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 21st day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-6092; Filed, July 22, 1949; 9:46 a. m.]

[Orange Reg. 285]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.431 *Orange Regulation 285*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp. 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., July 24, 1949, and ending at 12:01 a. m., P. s. t., July 31, 1949, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 1,300 carloads;

(*c*) Prorate District No. 3: No movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: No movement;

(*c*) Prorate District No. 3: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used herein, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 (11 F. R. 10258) of the rules and regulations contained in this part.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 22d day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

(Orange regulation period No. 285)

[12:01 a. m. July 24, 1949, to 12:01 a. m. July 31, 1949]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.1095
A. F. G. Corona	.0324
A. F. G. Fullerton	.9377
A. F. G. Orange	.4241
A. F. G. Riverside	.1066
A. F. G. San Juan Capistrano	.6756
A. F. G. Santa Paula	.5032
Hazeltine Packing Co	.3981
Placentia Pioneer Valley Growers Association	.6796
Signal Fruit Association	.1015
Azusa Citrus Association	.4467
Damerel-Allison Co	.8413
Glendora Mutual Orange Association	.3411
Puente Mutual Orange Association	.1698
Valencia Heights Orchard Association	.5056
Covina Citrus Association	1.3621
Covina Orange Growers Association	.6755
Glendora Citrus Association	.3574
Glendora Heights Orange & Lemon Growers Association	.0536
Gold Buckle Association	.4973
La Verne Orange Association	.6555
Anaheim Citrus Fruit Association	1.5030
Anaheim Valencia Orange Association	1.5949
Eadington Fruit Co., Inc	3.2660
Fullerton Mutual Orange Association	1.4142
La Habra Citrus Association	.7617
Orange County Valencia Association	.4240
Orangethorpe Citrus Association	.9944
Placentia Cooperative Orange Association	1.1237
Yorba Linda Citrus Association, The	.7529
Escondido Orange Association	2.3794
Alta Loma Heights Citrus Association	.0676
Citrus Fruit Association	.1463
Cucamonga Citrus Association	.0925
Rialto Heights Orange Growers	.0565
Upland Citrus Association	.4065
Upland Heights Orange Association	.1124
Consolidated Orange Growers	2.0844
Frances Citrus Association	1.1198
Garden Grove Citrus Association	1.4869
Goldenwest Citrus Association	1.3335
Irvine Valencia Growers	2.6402
Olive Heights Citrus Association	2.0098
Santa Ana-Tustin Mutual Citrus Association	.9506
Santiago Orange Growers Association	4.2643
Tustin Hills Citrus Association	1.7227
Villa Park Orchards Association, The	2.1510
Bradford Bros., Inc	.7177
Placentia Mutual Orange Association	2.0418
Placentia Orange Growers Association	2.4433
Yorba Orange Growers Association	.5975
Call Ranch	.0618
Corona Citrus Association	.5784
Jameson Co	.0496
Orange Heights Orange Association	.5280
Crafton Orange Growers Association	.2885
East Highlands Citrus Association	.0591
Fontana Citrus Association	.1273
Highland Fruit Growers Association	.0337
Redlands Heights Groves	.2506
Redlands Orangedale Association	.2587
Break & Sons, Allen	.0356

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Bryn Mawr Fruit Growers Association	0.1690
Mission Citrus Association	.1715
Redlands Cooperative Fruit Association	.3112
Redlands Orange Growers Association	.2116
Redlands Select Groves	.2257
Rialto Citrus Association	.2014
Rialto Orange Co	.1699
Southern Citrus Association	.1619
United Citrus Growers	.1335
Zilen Citrus Co	.0803
Andrews Bros. of California	.0095
Arlington Heights Citrus Co	.1165
Brown Estate, L. V. W	.1230
Gavilan Citrus Association	.1320
Highgrove Fruit Association	.0319
Krinard Packing Co	.2353
McDermont Fruit Co	.1925
Monte Vista Citrus Association	.2086
National Orange Co	.0509
Riverside Heights Orange Growers Association	.0542
Sierra Vista Packing Association	.0490
Victoria Ave. Citrus Association	.1754
Claremont Citrus Association	.1451
College Heights Orange & Lemon Association	.3305
Indian Hill Citrus Association	.2025
Pomona Fruit Growers Exchange	.3675
Walnut Fruit Growers Association	.4176
West Ontario Citrus Association	.4488
El Cajon Valley Citrus Association	.2717
San Dimas Orange Growers Association	.4646
Canoga Citrus Association	.8617
Covina Valley Orange Co	.0531
North Whittier Heights Citrus Association	.8492
San Fernando Fruit Growers Association	.6406
San Fernando Heights Orange Association	.9431
Sierra Madre-Lamanda Citrus Association	.4068
Camarillo Citrus Association	1.6945
Fillmore Citrus Association	3.5390
Mupu Citrus Association	2.2258
Ojai Orange Association	.9780
Piru Citrus Association	2.2204
Rancho Sespe	.8004
Santa Paula Orange Association	1.1236
Tapo Citrus Association	1.0276
Ventura County Citrus Association	.2533
Limoneira Co	.5657
East Whittier Citrus Association	.3673
El Ranchito Citrus Association	1.4715
Whittier Citrus Association	.6107
Whittier Select Citrus Association	.3166
Anaheim Cooperative Orange Association	1.4339
Bryn Mawr Mutual Orange Association	.0778
Chula Vista Mutual Lemon Association	.0000
Escondido Cooperative Citrus Association	.3390
Euclid Avenue Orange Association	.5362
Foothill Citrus Union, Inc	.0335
Fullerton Cooperative Orange Association	.3121
Garden Grove Orange Cooperative, Inc	.9155
Golden Orange Groves, Inc	.1878
Highland Mutual Groves, Inc	.0225
Index Mutual Association	.1929
La Verne Cooperative Citrus Association	1.6226
Mentone Heights Association	.0300
Olive Hillside Groves, Inc	.4938
Orange Cooperative Citrus Association	1.2030
Redlands Foothill Groves	.4981

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Redlands Mutual Orange Association	0.1430
Riverside Citrus Association	.0351
Ventura County Orange & Lemon Association	1.0234
Whittier Mutual Orange & Lemon Association	.1286
Associated Growers Coop	.0989
Babijuice Corp. of California	.5235
Banks, L. M	.6198
Borden Fruit Co	.9143
California Associated Growers	.4343
Cherokee Citrus Co., Inc	.1560
Chess Co., Meyer W	.3015
Evans Bros. Packing Co	.2598
Furr Co., N. C	.0389
Gold Banner Association	.2178
Granada Hills Packing Co	.0409
Granada Packing House	2.1011
Hill Packing House, Fred A	.0674
Knapp Packing Co., John C	.2351
Orange Belt Fruit Distributors	2.0868
Panno Fruit Co., Carlo	.1164
Paramount Citrus Association	.4773
Placentia Orchard Co	.5409
San Antonio Orchard Co	.3186
Synder & Sons Co., W. A	.8066
Stephens, T. F	.1396
Wall, E. T	.1061
Western Fruit Growers, Inc	.4426

[F. R. Doc. 49-6118; Filed, July 22, 1949; 11:33 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,[1] Amdt. 128]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

VARIOUS STATES

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92 is hereby amended in the following respects:

1. Schedule A, Item 30, is amended to describe the counties in the Defense-Rental Area as follows:

Orange County, except the cities of Laguna Beach and Newport Beach, and except that portion lying south of the south line of Township Six south, Range Eight west, San Bernardino Base and Meridian, and the easterly and westerly prolongation of said south line, and Los Angeles County, except Catalina Township.

This decontrols from §§ 825.81 to 825.92 the above designated portions of Orange County, California, a part of the Los Angeles, California, Defense-Rental Area, based on a recommendation of the local

[1] 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8219, 8328, 8388; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1759, 1869, 1932, 2061, 2062, 2085, 2176, 2237, 2413, 2440, 2441, 2545, 2607, 2608, 2695, 2746, 2761, 2796, 3079, 3121, 3153, 3201, 3234, 3280, 3311, 3353, 3400, 3451, 3468, 3494, 3555, 3617, 3675, 3705, 3746, 3772, 3811, 3812, 3849, 3993.

advisory board resolution submitted in accordance with section 204 (e) (4) of the Housing and Rent Act of 1947, as amended.

2. Schedule A, Item 114e, is amended to describe the counties in the Defense-Rental Area as follows:

Butler; Cowley, except Arkansas City; and that portion of Geuda Springs, located in Sumner County.

This decontrols from §§ 825.81 to 825.92 the City of Arkansas City in Cowley County, Kansas, a portion of the Butler-Cowley, Kansas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

3. Schedule A, Item 245, is amended to read as follows:

(245) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 the City of Enid in Garfield County, Oklahoma, a portion of the Enid, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of the said Defense-Rental Area, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

4. Schedule A, Item 245a, is amended to read as follows:

(245a) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 (1) the City of Guymon in Texas County, Oklahoma, a portion of the Guymon, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of the said Defense-Rental Area, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

5. Schedule A, Item 321b, is amended to read as follows:

(321b) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 (1) the City of Longview in Gregg County, Texas, a portion of the Longview, Texas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of the said County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

6. Schedule A, Item 332, is amended to describe the counties in the Defense-Rental Area as follows:

McLennan, except the City of West.

This decontrols from §§ 825.81 to 825.92 the City of West in McLennan County, Texas, a portion of the Waco, Texas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

7. Schedule A, Item 350a, is amended to describe the counties in the Defense-Rental Area as follows:

Thurston, except the Town of Tumwater.

This decontrols from §§ 825.81 to 825.92 the Town of Tumwater in Thurston County, Washington, a portion of the Olympia, Washington, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective July 20, 1949.

Issued this 20th day of July 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-6058; Filed, July 22, 1949; 8:51 a. m.]

[Controlled Housing Rent Reg.,[1] Amdt. 133]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

VARIOUS STATES

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. Schedule A, Item 30, is amended to describe the counties in the Defense-Rental Area as follows:

Orange County, except the cities of Laguna Beach and Newport Beach, and except that portion lying south of the south line of Township Six south, Range Eight west, San Bernardino Base and Meridian, and the easterly and westerly prolongation of said south line; and Los Angeles County, except Catalina Township.

This decontrols from §§ 825.1 to 825.12 the above designated portions of Orange County, California, a part of the Los Angeles, California, Defense - Rental Area, based on a recommendation of the local advisory board submitted in accordance with section 204 (e) (4) of the Housing and Rent Act of 1947, as amended.

2. Schedule A, Item 114e, is amended to describe the counties in the Defense-Rental Area as follows:

Butler; Cowley, except Arkansas City; and that portion of Geuda Springs located in Sumner County.

This decontrols from §§ 825.1 to 825.12 the City of Arkansas City in Cowley County, Kansas, a portion of the Butler-Cowley, Kansas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

3. Schedule A, Item 245, is amended to read as follows:

(245) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 the City of Enid in Garfield County, Oklahoma, a portion of the Enid, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of the said Defense-Rental Area, on the Housing Expediter's own initiative in accordance with section 204 (c) of the said act.

4. Schedule A, Item 245a, is amended to read as follows:

(245a) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 (1) the City of Guymon in Texas County, Oklahoma, a portion of the Guymon, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of the said Defense-Rental Area, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

5. Schedule A, Item 321b, is amended to read as follows:

(321b) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 (1) the City of Longview in Gregg County, Texas, a portion of the Longview, Texas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of the said County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

6. Schedule A, Item 332, is amended to describe the counties in the Defense-Rental Area as follows:

McLennan, except the City of West.

This decontrols from §§ 825.1 to 825.12 the City of West in McLennan County, Texas, a portion of the Waco, Texas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

7. Schedule A, Item 350a, is amended to describe the counties in the Defense-Rental Area as follows:

Thurston, except the Town of Tumwater.

This decontrols from §§ 825.1 to 825.12 the Town of Tumwater in Thurston County, Washington, a portion of the Olympia, Washington, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894).

This amendment shall become effective July 20, 1949.

Issued this 20th day of July 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-6057; Filed, July 22, 1949; 8:51 a. m.]

[1] 13 F. R. 5706, 5788, 5789, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8218, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 682, 695, 856, 918, 979, 1005, 1083, 1345, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441, 2545, 2605, 2607, 2608, 2695, 2746, 2761, 2796, 2897, 3079, 3120, 3152, 3200, 3234, 3280, 3311, 3353, 3399, 3451, 3467, 3494, 3556, 3617 3672 3673, 3704, 3705, 3745, 3773, 3813, 3848, 3992.

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

CHANGE IN NAME OF AIRPORT AT MIAMI, FLA., FROM PAN AMERICAN FIELD (OR 36TH STREET) TO MIAMI INTERNATIONAL AIRPORT

Section 110.3 (a), Chapter I, Title 8 of the Code of Federal Regulations, is amended by substituting "Miami, Fla., Miami International Airport" for "Miami, Fla., Pan American Field (or 36th Street)" in the list of permanent airports of entry for aliens.

This regulation shall become effective on the date of its publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) with respect to notice of proposed rule making and delayed effective date are inapplicable in this instance for the reason that the change made by the order relates solely to agency management.

(Sec. 7 (d), 44 Stat. 572; 49 U. S. C. 177 (d))

TOM C. CLARK,
Attorney General.

Recommended: July 14, 1949.

WATSON B. MILLER,
Commissioner, Immigration and Naturalization.

[F. R. Doc. 49-6040; Filed, July 22, 1949; 8:48 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter V—Department of the Army

Subchapter A—Aid of Civil Authorities and Public Relations

PART 517—TROOP PARTICIPATION IN CIVILIAN CEREMONIES

A new Part 517 is added to Subchapter A, including §§ 517.1 through 517.5, as follows:

Sec.
517.1 Purpose.
517.2 Definitions.
517.3 Basic policy.
517.4 Public holidays.
517.5 Responsibilities.

AUTHORITY: §§ 517.1 to 517.5, issued under R. S. 161; 5 U. S. C. 22.

DERIVATION: SR 220-210-1, July 1, 1949.

§ 517.1 *Purpose.* The purpose of this part is to establish the policy of the Department of the Army for the participation of United States Army troops and equipment in civilian ceremonies within the continental limits of the United States. This policy as amplified or modified by commanders of oversea commands may be applied to participation of United States Army troops in similar activities overseas.

§ 517.2 *Definitions.* The term "civilian ceremonies" includes any activities, celebrations, ceremonies, or observances in which the general public participates, or which the public generally supports. The term includes activities originated and sponsored by nonmilitary organizations (such as veterans' committees and state and county fair committees) and by the military service. "Participation" refers to representation of the Department of the Army by troops in demonstrations, parades, or other formations, or by equipment displays.

§ 517.3 *Basic policy.* The Department of the Army encourages the maximum participation in civilian ceremonies within the limitations prescribed below, and requires the cooperation of all commanders in fostering cordial relations between the public and the military service.

(a) The occasion must be of such a nature that the appearance of troops will be of benefit to the military service and stimulate the national patriotic spirit.

(b) The occasion must not directly or indirectly benefit or appear to favor any private individual, commercial enterprise, sect, or political or fraternal group.

(c) Primary responsibilities for determining whether or not troops will be furnished, or the scale of participation, are assigned army commanders. When adverse effects of participation on training or other primary missions outweigh the advantages of participation, troops will not be provided. Consideration must be given the following pertinent factors:

(1) Availability, suitability, and competence of troop units.

(2) Serviceability and suitability of display equipment.

(3) Priority of training, maintenance, or other missions.

(4) Limitations in manpower and funds.

(d) Security measures will not be impaired, and movements of troops and munitions on military missions will not be interrupted.

(e) Bands will be used in conformity with Part 508 of this subchapter.

(f) Equipment displays will be adequately manned and guarded.

(g) Troops and bands of the training divisions will not participate outside their respective posts except on public holidays and the day honoring the armed forces.

(h) Demonstration parachute jumps and glider landing exhibitions in connection with civilian ceremonies will be limited to those ceremonies of national interest sponsored or specifically authorized by the Department of the Army.

§ 517.4 *Public holidays.* The Department of the Army will provide troops to participate in civilian observance of generally recognized public holidays, subject to the provisions of § 517.3. Action toward observance of public holidays in civilian communities or on military posts may be initiated by military commanders.

§ 517.5 *Responsibilities.* (a) Local commanders are expected to receive requests for troop participation, and such commanders will be responsible for determining the appropriateness of the occasion, the applicability of the policies stated herein and the scale of participation, or for determining inability of their commands to participate. Local commanders will inform requesting sponsors of decisions to participate and will establish liaison to arrange necessary details and insure creditable representation. When a local commander decides that his command cannot participate, he will forward the request with an explanation of his decision to the army commander, advising the requesting agency of the reference.

(b) The army commander will render decisions on all requests received by him, either from subordinate commanders or direct from civilian sponsors. The army commander is also responsible for general supervision of all troop participation throughout his army area, including the participation of troops and equipment from class II installations. Whether or not he decides to furnish the troops requested, the army commander will reply promptly to the requesting agency.

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-6046; Filed, July 22, 1949; 8:50 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 261—TRESPASS

ORDER FOR THE REMOVAL OF TRESPASSING HORSES; TOIYABE NATIONAL FOREST

Whereas a number of horses are trespassing and grazing on areas in the Austin Ranger District of the Toiyabe National Forest in the State of Nevada;

Whereas these animals are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35, 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472), the following order is issued for the occupancy, use, protection, and administration of land in the Austin Ranger District of the Toiyabe National Forest as described below:

Temporary closure from livestock grazing.[1] (a) The following-described areas in the Toiyabe National Forest are hereby closed for the period August 1, 1949 to September 15, 1949, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such areas, pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land:

(1) All that part of the Toquima Mountain range lying within the boundaries of the Toiyabe National Forest north of the Moores Creek road.

[1] This affects tabulation contained in 36 CFR 261.50.

(2) All that part of the Monitor Mountain range lying within the boundaries of the Toiyabe National Forest between the Nye County–Eureka County line on the North, and the township line between T. 11 N. and T. 12 N., Mt. Diablo Meridian on the South.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Toiyabe National Forest is located.

Done at Washington, D. C., this 15th day of July 1949.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-6039; Filed, July 22, 1949; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

PART 245—RIGHTS-OF-WAY OVER AND UPON PUBLIC LANDS AND RESERVATIONS OF THE U. S. FOR ELECTRICAL PLANTS AND TRANSMISSION LINES

STIPULATION REQUIRED AS CONDITION PRECEDENT TO APPROVAL OF PERMIT

Paragraph (v) of § 245.21, as amended on October 14, 1948 (13 F. R. 6214), is revised to read as follows:

§ 245.21 *Stipulation required as a condition precedent to the approval of permit.* * * *

(v) To allow the Department of the Interior, in the case of a permit or an easement applied for on or after October 14, 1948, and covering a right-of-way for an electrical transmission line having a voltage of 33 kv. or more, (1) to utilize for the transmission of electrical power any surplus capacity of the line in excess of the capacity needed by the holder of the permit or easement (subsequent referred to in this paragraph as "the permittee") for the transmission of electrical power in connection with the permittee's operations, or (2) to increase the capacity of the line at the Department's expense and to utilize the increased capacity for the transmission of electrical power. Utilization by the Department of surplus or increased capacity shall be subject to the following terms and conditions:

(i) When the Department desires to utilize surplus capacity thought to exist in a line, notification will be given to the permittee and the permittee shall furnish to the Department within 30 days a certificate stating whether the line has any surplus capacity not needed by the permittee for the transmission of electrical power in connection with the permittee's operations, and, if so, the extent of such surplus capacity.

(ii) In order to utilize any surplus capacity certified by the permittee to be available, or any increased capacity provided by the Department at its own expense, the Department may interconnect its transmission facilities with the permittee's line in a manner conformable to approved standards of practice for the interconnection of transmission circuits.

(iii) The expense of interconnection will be borne by the Department, and the Department will at all times provide and maintain adequate switching, relaying, and protective equipment so as to insure that the normal and efficient operation of the permittee's line will not be impaired.

(iv) After any interconnection is completed, the permittee shall operate and maintain its line in good condition; and, except in emergencies, shall maintain in a closed position all connections under the permittee's control between the permittee's line and the interconnecting facilities provided by the Department.

(v) The interconnected power systems of the Department and the permittee will be operated in parallel.

(vi) The transmission of electrical power by the Department over the permittee's line will be effected in such manner and quantity as will not interfere unreasonably with the permittee's use and operation of the line in accordance with the permittee's normal operating standards, except that the Department shall have the exclusive right to utilize any increased capacity of the line which has been provided at the Department's expense.

(vii) The permittee will not be obligated to allow the transmission over its line by the Department of electrical power to any person receiving service from the permittee on the date of the filing of the application for a permit or easement, other than persons entitled to statutory preference in connection with the distribution and sale of electrical power by the Department.

(viii) The Department will pay to the permittee an equitable share of the total monthly cost of maintaining and operating the part of the permittee's line utilized by the Department for the transmission of electrical power, the payment to be an amount in dollars representing the same proportion of the total monthly operation and maintenance cost of such part of the line as the maximum amount in kilowatts of the power transmitted on a scheduled basis by the Department over the permittee's line during the month bears to the total capacity in kilowatts of that part of the line. The total monthly cost may include interest and amortization, in accordance with the system of accounts prescribed by the Federal Power Commission, on the permittee's net total investment (exclusive of any investment by the Department) in the part of the line utilized by the Department.

(ix) If, at any time subsequent to a certification by the permittee that surplus capacity is available for utilization by the Department, the permittee needs for the transmission of electrical power in connection with its operations the whole or any part of the capacity of the line theretofore certified as being surplus to its needs, the permittee may modify or revoke the previous certification by giving the Secretary of the Interior 30 months' notice, in advance, of the permittee's intention in this respect. After the revocation of a certificate, the Department's utilization of the particular line will be limited to the increased capacity, if any, provided by the Department at its expense.

(x) If, during the existence of the permit or easement, the permittee desires reciprocal accommodations for the transmission of electrical power over the interconnecting system of the Department to its line, such reciprocal accommodations will be accorded under terms and conditions similar to those prescribed in this paragraph with respect to the transmission by the Department of electrical power over the permittee's line.

(xi) The terms and conditions prescribed in this paragraph may be modified at any time by means of a supplemental agreement negotiated between the permittee and the Secretary of the Interior or his designee.

(31 Stat. 790, 791 as amended; 43 U. S. C. 959, 961)

[SEAL] J. A. KRUG,
Secretary of the Interior.

JULY 18, 1949.

[F. R. Doc. 49-6033; Filed, July 22, 1949; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 957]

IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

NOTICE OF PROPOSED BUDGET AND RATE OF ASSESSMENT

Notice is hereby given, pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1001 et seq.), that the Secretary of Agriculture is considering the approval of the budget of expenses and rate of assessment hereinafter set forth which were recommended by the administrative committee, established pursuant to Marketing Order No. 57 (7 CFR 957.1 et seq.) regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto filed in triplicate with the Director, Fruit and Vegetable Branch, Pro-

duction and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., so as to be received by him not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 957.202 *Budget of expenses and rate of assessment.* The expenses necessary to be incurred by the administrative committee, established pursuant to Marketing Order No. 57, to enable such committee to perform its functions, pursuant to provisions of the aforesaid marketing order and regulations duly issued thereunder, during the fiscal period ending June 30, 1950, will amount to $21,000.

The rate of assessment to be paid by each handler who first ships potatoes shall be fifty cents per carload or fraction thereof, or per truckload of 5,000 pounds or more, of potatoes shipped by him as the first shipper thereof during such fiscal period, and such rate of assessment is hereby fixed as each such handler's pro rata share of the aforesaid expenses.

The terms used herein shall have the same meaning as when used in Marketing Order No. 57 (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Done at Washington, D. C., this 20th day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-6062; Filed, July 22, 1949; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

ARIZONA

ORDER RESTORING FORMER RAILROAD GRANT LANDS TO PUBLIC DOMAIN

Claims to the public lands in the following described areas in the State of Arizona within the limits of the grant made to the Atlantic and Pacific Railroad Company (successor Santa Fe Pacific Railroad Company), by the act of July 27, 1866 (14 Stat. 292), and acts amendatory thereof and supplemental thereto have been released under section 321b, Part II, Title III of the Transportation Act of 1940 (54 Stat. 954, 49 U. S. C. 65) by the beneficiary of the grant. Subject to existing valid rights and existing withdrawals, these lands are hereby made available for disposal, use and management under the public land laws in accordance with the terms of this order.

Applications for these lands under the homestead, small tract, desert land or other non-mineral public land laws will be allowed only if the land is classified pursuant to the application as valuable or suitable for the type of disposition applied for or has been previously so classified.

GILA AND SALT RIVER MERIDIAN

T. 18 N., R. 24 E.;
Sec. 31, lots 3, 4, E½SW¼;
T. 28 N., R. 10 W. (unsurveyed);
Secs. 3, 5, 7, 9;
Sec. 11 (north and west of Colorado River);
Sec. 15 (north and west of Colorado River);
Secs. 17 and 19;
Sec. 21 (north and west of Colorado River);
Sec. 29 (north and west of Colorado River);
Sec. 31 (north and west of Colorado River);
T. 29 N., R. 10 W. (partly surveyed);
Sec. 3, E½;
Sec. 15;
Sec. 23 (west of Colorado River);
Sec. 25 (west of Colorado River);
Sec. 35 (west of Colorado River);
T. 30 N., R. 10 W. (unsurveyed);
Sec. 3 (west of Colorado River);
Secs. 5, 7, 9, 11, 15, 17, 19, 21, 23, 27, 29, 31, 33;
Sec. 35 (west of Colorado River);
T. 31 N., R. 10 W. (unsurveyed);
Secs. 1, 3, 5, 7, 9, 11;
Sec. 13 (north and west of Colorado River);
Secs. 15, 17, 19, 21, 27, 29, 31, 33;
Sec. 35 (west of Colorado River);
T. 27 N., R. 11 W. (partly surveyed);
Sec. 1 (north of Colorado River);
Sec. 3 (north of Colorado River);
T. 28 N., R. 11 W. (partly surveyed);
Secs. 1 and 3;
Sec. 5, N½;
Secs. 7, 9, 11, 13, 15, 19, 21, 23, 25, 27, 29;
Sec. 31 (north of Colorado River);
Sec. 33 (north of Colorado River);
Sec. 35;
T. 29 N., R. 11 W.;
Sec. 7, S½ (unsurveyed);
Secs. 19 and 31 (unsurveyed);
T. 32 N., R. 11 W.;
Sec. 19, lot 3;
T. 28 N., R. 12 W. (partly surveyed);
Secs. 1 and 3;
Sec. 5 (north of Colorado River);
Sec. 9 (north and east of Colorado River),
Secs. 11 and 13;
Sec. 15 (north and east of Colorado River);
Sec. 23 (north and east of Colorado River);
Sec. 25 (north and east of Colorado River);
T. 29 N., R. 12 W. (unsurveyed);
Secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33 and 35;
T. 30 N., R. 12 W. (unsurveyed);
Secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33 and 35;
T. 33 N., R. 12 W. (surveyed);
Sec. 35, NW¼NE¼NW¼;
T. 28 N., R. 13 W. (partly surveyed);
Sec. 1 (north of Colorado River);
Sec. 3 (north and east of Colorado River);
Sec. 11 (north of Colorado River);
T. 29 N., R. 13 W. (unsurveyed);
Secs. 1, 3, 5;
Sec. 7 (east of Colorado River);
Secs. 9, 11, 13, 15, 17;
Sec. 19 (north of Colorado River);
Secs. 21, 23, 25;
Sec. 27 (north of Colorado River);
Secs. 29, 31, 33 and 35;
T. 30 N., R. 13 W. (unsurveyed);
Secs. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25;
Sec. 29 (east of Colorado River);
Sec. 31 (east of Colorado River);
Sec. 33 (east of Colorado River);
Sec. 35;
T. 31 N., R. 13 W;
Sec. 31 (unsurveyed);
T. 30 N., R. 14 W. (partly surveyed);
Sec. 1;
Sec. 3 (east of Colorado River);
Sec. 11 (east of Colorado River);
Sec. 13 (east of Colorado River);
Sec. 25 (east of Colorado River);
T. 31 N., R. 14 W (partly surveyed);
Sec. 19, S½, NW¼;
Sec. 21;
Sec. 23, W½;
Sec. 27;
Sec. 29 (north of Colorado River).

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m., on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m., on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m., on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m., on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m., on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service

which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager of the District Land Office at Phoenix, Arizona.

J. A. KRUG,
Secretary of the Interior.

JULY 19, 1949.

[F. R. Doc. 49-6034; Filed, July 22, 1949; 8:46 a. m.]

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938 and section 1 (b) of the Walsh-Healey Public Contracts Act have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938 (sec. 14, 52, Stat. 1068; 29 U. S. C. 214) and Part 525 of the regulations issued thereunder (29 CFR, Cum. Supp., Part 525, amended 11 F. R. 9556), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and article 1102 of the regulations issued pursuant thereto (41 CFR, Cum. Supp., 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Boston Tuberculosis Association, 554 Columbus Avenue, Boston, Massachusetts; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 22 cents per hour, which ever is higher, and a rate of not less than 20 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 1, 1949, and expires June 30, 1950.

Goodwill Industries of Scranton, Inc., 334 Penn Avenue, Scranton, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher, and a rate of not less than 20 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1949, and expires January 31, 1950.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be canceled in the manner provided by the regulations. Any person aggrieved by the issuance of either of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 15th day of July 1949.

RAYMOND G. GARCEAU,
Director,
Field Operations Branch.

[F. R. Doc. 49-6035; Filed, July 22, 1949; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3629]

CARCO AIR SERVICE; LOS ALAMOS-ALBUQUERQUE OPERATION

NOTICE OF HEARING

In the matter of the application of Clark M. Carr, d. b. a. Carco Air Service, for a temporary certificate of public convenience and necessity pursuant to section 401 of the Civil Aeronautics Act of 1938, as amended, authorizing air transportation of persons, property, and mail between Albuquerque and Los Alamos with a flagstop at Santa Fe, N. Mex.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, and particularly sections 205 (a), 401 (a), and 1001 thereof, that a hearing in the above-entitled proceeding is assigned to be held on August 8, 1949, at 10:00 a. m (Mountain standard time) in the Board Room of the Albuquerque Chamber of Commerce, 319 North Fourth Street, Albuquerque, N. Mex., before Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues involved in this proceeding particular attention will be directed to the following matters or questions:

1. Do the public convenience and necessity require the temporary authorization of Carco Air Service to carry persons, property and mail between Los Alamos and Albuquerque with a flagstop at Santa Fe, N. Mex.?

2. If so, is the applicant fit, willing and able to perform the proposed air transportation and to conform with the appropriate provisions of the Civil Aeronautics Act of 1938, as amended, and the Board's rules and regulations thereunder?

Notice is further given that persons desiring to be heard in this proceeding must file with the Board on or before August 8, 1949, a statement setting forth the issues of fact or law which they desire to controvert.

For further details of the matters concerned herein, interested parties are referred to the documents on file with the Board in the docket of this proceeding.

Dated at Washington, D. C., July 19, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-6043; Filed, July 22, 1949; 8:48 a. m.]

[Dockets Nos. 3718 and 3867]

SOUTHWEST AIRWAYS CO. AND UNITED AIR LINES, INC.; SOUTHWEST EXTENSION—UNITED SUSPENSION CASE

NOTICE OF HEARING

In the matter of the renewal of the temporary certificate of public convenience and necessity for route No. 76 held by Southwest Airways Company, its amendment to include Salinas, Calif., and Klamath Falls, Oreg., as intermediate points thereon for a period of five years, and the temporary suspension for the same period of the certificate of public convenience and necessity held by United Air Lines, Inc., insofar as said certificate authorizes the holder to provide air transportation of persons, property, and mail to Eureka, Red Bluff, Santa Barbara, Monterey, and Salinas, Calif., and Klamath Falls, Oreg.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, and particularly sections 205 (a), 401 (h), and 1001 thereof, that a hearing in the above-entitled proceeding is assigned to be held on August 1, 1949, at 10:00 a. m. (P. s. t.) in the Assembly Hall, Third Floor, Main Library Building, Civic Center, San Francisco, Calif., before Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues involved in this proceeding particu-

lar attention will be directed to the following matters or questions:

1. Do the public convenience and necessity require the renewal of the certificate held by Southwest Airways Company for route No. 76 for an additional period of five years, or less?

2. Do the public convenience and necessity require the addition of Klamath Falls, Oreg., and Salinas, Calif., as intermediate points on said route No. 76 for a period of five years, or less?

3. Do the public convenience and necessity require the suspension of United Air Lines' authority to serve Santa Barbara, Eureka, Monterey, Salinas, and Red Bluff, Calif., and Klamath Falls, Oreg., on its route No. 11 for a period of five years, or less?

Notice is further given that any person desiring to be heard in this proceeding must file with the Board on or before August 1, 1949, a statement setting forth the issues of fact or law which he desires to controvert.

For further details of the matters concerned in this proceeding, interested parties are referred to the Board opinion and order Serial No. E–2680, adopted April 4, 1949, the Board opinion and order in the *Additional California-Nevada Service* case, Docket No. 2019, et al., decided June 15, 1949, pages 37 and 38, and the other documents on file in the dockets of this proceeding.

Dated at Washington, D. C., July 18, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49–6044; Filed, July 22, 1949; 8:48 a. m.]

[Docket No. SA–194]

ACCIDENT AT CHATSWORTH, CALIF.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC–79978, which occurred at Chatsworth, California, July 12, 1949.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Monday, July 25, 1949, at 9:00 a. m. in the American Legion Hall, 1408 Seventeenth Street, Santa Monica, Calif.

Dated at Washington, D. C., July 19, 1949.

[SEAL] ROBERT W. CHRISP,
Presiding Officer.

[F. R. Doc. 49–6045; Filed, July 22, 1949; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7170, 7955, 8045]

HARMCO, INC. (KROY) ET AL.

MEMORANDUM OPINION AND ORDER SCHEDULING FURTHER HEARING

In re applications of Harmco, Inc. (KROY), Sacramento, California, Docket No. 7170, File No. BP–4253; Palo Alto Radio Station, Inc. (KYA), San Francisco, California, Docket No. 7955, File No. BP–4452; Edmund Scott, Gordon D. France, Hugh H. Smith and Merwyn F. Planting, a partnership, d/b as San Mateo County Broadcasters (KVSM), San Mateo, California, Docket No. 8045, File No. BP–5536; for construction permits.

1. The applications of Harmco, Inc. (KROY), Sacramento, California, Palo Alto Radio Station, Inc. (KYA), San Francisco, California, and San Mateo County Broadcasters (KVSM), San Mateo, California, were heard in a consolidated proceeding in January and March, 1947. KROY is presently operating on 1240 kc. with 250 w. power, unlimited time, and requests a construction permit for operation on 1060 kc. with 10 kw. power, unlimited time. KYA is presently operating on 1260 kc. with 1 kw., 5 kw.–LS, unlimited time, and requests authority for operation on the frequency 1060 kc. with 50 kw. power, unlimited time. KVSM is presently operating on 1050 kc. with 250 w. power, daytime only, and requests 1260 kc. with 1 kw., 5 kw.–LS power, unlimited time, the present facilities of KYA. The present operation of KVSM on 1050 kc. precludes the proposed operation of KYA on 1060 kc. The applications of KYA and KVSM are, therefore, mutually contingent upon each other. KROY and KYA propose operation on the same frequency with a mileage separation of approximately 75 miles and their respective proposals are mutually prohibitive.

2. The KYA array is designed to protect CJOC operating on 1060 kc. at Lethbridge, Alberta, Canada. KYA acknowledged during the course of the hearing that a change in the Canadian 1060 kc. assignment from Lethbridge to CFCN, Calgary, Alberta, Canada, approximately 110 miles to the northwest, had been made. The CFCN pattern was not received until after the hearing in this proceeding and on February 21, 1948, CFCN was notified as being in operation. There is no evidence in the record relative to the intereference problems which would result from the operations of KROY and KYA, as proposed, with CFCN. In addition, the nighttime limitations of KYA and KROY cannot be determined from the record in this proceeding. Therefore, the nighttime service areas of these proposals cannot be determined from the record.

3. In December 1948, the Mexican Government notified the operation of XEDP, Mexico City, Mexico, with a new directional antenna. XEDP is a Class I–B station operating on 1060 kc. The record does not contain evidence from which a determination can be made whether or not the 1060 kc. proposals would cause interference to XEDP.

4. Since the close of the record the Standards of Good Engineering Practice have been amended. The record, therefore, does not contain evidence with respect to the operations proposed in this proceeding determined in accordance with our present Standards of Good Engineering Practice.

5. At the time of the hearing the Commission was constructing a new primary monitoring station at Livermore, California. This new monitoring station is located approximately 17 miles from the proposed KYA site. A determination must be made of the signal intensity KYA and the other proposals involved in this proceeding would impose on this monitoring station.

6. In view of the foregoing considerations, the record does not contain sufficient information upon which a determination can be made. The record must, therefore, be reopened to receive additional evidence.

7. *Accordingly, it is ordered,* This 14th day of July, 1949, that the record in the above-entitled proceeding is reopened for further hearing to be held on August 24, 1949, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and the character of the other broadcast service available to those areas and populations.

2. To determine whether the operations of the proposed stations would involve objectionable interference with any existing or proposed broadcast stations and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine the signal intensity the operations proposed would impose upon the Commission's Primary Monitoring Station at Livermore, California.

4. To determine whether the operations proposed would involve any interference to Stations CFCN, Calgary, Alberta, Canada, XEDP, Mexico City, Mexico, or any other existing foreign broadcast stations and, if so, whether such interference would be in contravention of any international agreement or the Commission's rules and standards.

5. To determine whether the installations and operations of the stations proposed would be in compliance with the Commission's rules and standards of Good Engineering Practice Concerning Standard Broadcast Stations.

6. To determine on a comparative basis from the record made at the further hearing and the record heretofore compiled in this proceeding, which, if any, of the applications should be granted.

Released: July 18, 1949.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49–6047; Filed, July 22, 1949; 8:50 a. m.]

[Docket Nos. 7830, 8353]

FRANK M. HELM AND RADIO MODESTO, INC.

ORDER SCHEDULING FURTHER HEARING

In re applications of Frank M. Helm, Modesto, California, Docket No. 7830, File No. BP–5184; Radio Modesto, Incorporated, Modesto, California, Docket No. 8353, File No. BP–5885; for construction permits.

At a session of the Federal Communications Commission held at its offices

in Washington, D. C., on the 14th day of July 1949;

The Commission having under consideration (1) the proposed decision in the above-entitled proceeding, adopted February 24, 1949; (2) a petition filed March 23, 1949, by Frank M. Helm, requesting (a) a waiver of § 1.365 of the Commission's rules, (b) leave to amend his application to show a new transmitter site and that the amendment submitted with said petition be accepted, and (c) that the record be reopened so that the data with respect to the new site may be received in evidence; and (3) an opposition to the Helm petition filed March 29, 1949, by Radio Modesto, Inc.; and

It appearing, that the site proposed by Frank M. Helm in his application and upon which evidence was taken at the hearing in this proceeding and upon which he held an option to purchase, was sold by the owners to the Modesto High School District; that said owners were advised that unless they sold said property to the Modesto High School District that said school district would institute condemnation proceedings to purchase said property; and that Helm has now procured a new site for his proposed operation; and

It further appearing, that on March 31, 1949, the Civil Aeronautics Administration disapproved the site proposed by Radio Modesto, Inc.; that on April 7, 1949, Radio Modesto, Inc., was advised of this disapproval; and

It further appearing, that the stations proposed by both applicants are to employ a directional antenna system during nighttime hours; that in order to make a proper determination in this proceeding the Commission must have before it information and data concerning the sites proposed and the operations from such sites; that under the circumstances in this proceeding the sites proposed by the applicants have become unavailable or been disapproved for causes beyond their control; that, therefore, the proposed decision in this proceeding should be set aside; that the amendment of Frank M. Helm should be accepted; that Radio Modesto, Inc., should be afforded an opportunity to amend to specify an appropriate site and that upon such amendment a further hearing should be held in this proceeding;

Accordingly, it is ordered, That the proposed decision in the above-entitled proceeding is set aside; that the petition for leave to amend by Frank M. Helm is granted; that the amendment submitted with said petition by Frank M. Helm is accepted; that Radio Modesto, Inc., is afforded an opportunity to amend its application to specify a proper site within 60 days from the date of release of this order; and that upon the acceptance of such amendment by Radio Modesto, Inc., the matter will be scheduled for further hearing.

Released: July 18, 1949.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-6048; Filed, July 22, 1949; 8:50 a. m.]

[Docket Nos. 7844, 8652, 8704]

BELLEVILLE NEWS-DEMOCRAT ET AL.

MEMORANDUM OPINION AND ORDER SCHEDULING FURTHER HEARING

In re: applications of Belleville News-Democrat, Belleville, Illinois, Docket No. 7844, File No. BP-5176; Hobart G. Stephenson, Jr., St. Louis, Missouri, Docket No. 8652, File No. BP-5702; On The Air, Inc. (WTMV), East St. Louis, Illinois, Docket No. 8704, File No. BP-6497; for construction permits.

1. The Commission has under consideration (1) the proposed decision in the above-entitled proceeding adopted December 9, 1948; (2) a motion to reopen the record filed March 18, 1949 by On The Air, Inc. (WTMV); (3) a petition to dismiss the motion to reopen the record filed March 24, 1949 by Belleville News-Democrat; (4) the memorandum in support of oral argument on the petition to reopen the record submitted March 25, 1949 at the oral argument in this proceeding by On The Air, Inc. (WTMV); (5) a reply to the memorandum in support of oral argument filed March 29, 1949 by Belleville News-Democrat; (6) an answer to the reply filed April 8, 1949 by On The Air, Inc. (WTMV); (7) a supplemental motion to reopen the record filed April 15, 1949 by On The Air, Inc. (WTMV); (8) an answer to the supplemental motion to reopen the record filed April 21, 1949 by Belleville News-Democrat; and (9) a reply to the answer to the supplemental motion to reopen the record filed April 27, 1949 by On The Air, Inc.

2. Belleville News-Democrat requests a construction permit for a new standard broadcast station in Belleville, Illinois, to operate on 1260 kc., with 1 kw. power, unlimited time, using a directional antenna at night; Hobart G. Stephenson, Jr., requests a construction permit for a new standard broadcast station in St. Louis, Missouri, to operate on 1230 kc., with 250 w. power, unlimited time; and On The Air, Inc., licensee of WTMV, East St. Louis, Illinois, requests a construction permit to change the facilities of that station from 1490 kc., with 250 w., power, unlimited time, to 1260 kc., with 1 kw. power, unlimited time, using a directional antenna day and night. A hearing was held on these applications and on December 9, 1948, the Commission adopted a proposed decision proposing to grant the Belleville application and to deny the St. Louis and East St. Louis applications. Hobart G. Stephenson, Jr., has filed no exceptions or other pleadings addressed to the proposed decision.

3. The above-described motion to reopen the record, and supplemental motion to reopen the record filed by WTMV request that the Commission set aside its proposed decision in this proceeding and reopen the record to determine (1) the adequacy of the transmitter site and antenna system proposed by the Belleville News-Democrat, and (2) the extent to which Mr. H. V. Calhoun will, or will not, perform the functions of full-time public service director for the Belleville applicant. In support of these petitions, WTMV alleges that on January 18, 1949, the Civil Aeronautics Administration disapproved the site proposed by the Belleville applicant; that in view of this fact, Belleville has made no showing upon a site which can be approved for operation in that community; and that, therefore, no comparison of the proposals can be made. In addition, petitioner alleges that since the hearing, Mr. Calhoun, the proposed public service director of the Belleville applicant, has been elected mayor of Belleville and, thus, the issue is raised as to whether or not Mr. Calhoun will participate in the operation of the Belleville station.

4. The Civil Aeronautics Administration did, on January 18, 1949, disapprove the Belleville site. Thus, Belleville does not have before the Commission evidence of an operation from a site acceptable to the Civil Aeronautics Administration. Since the Belleville applicant proposes to employ a directional antenna system during nighttime hours, in order to make a proper determination in this proceeding, the Commission must have information and data concerning the operation from an appropriate site. In view of these circumstances, we believe that Belleville should be permitted to amend to specify an appropriate site.

5. In its answer to the supplemental motion to reopen the record, Belleville admits that Mr. H. V. Calhoun, the proposed full-time public service director, has been elected mayor of Belleville and that he will take office on May 2, 1949. Belleville alleges that Calhoun will serve as its public service director as well as mayor; that Calhoun accepted the nomination for mayor with the distinct understanding that he would continue his work as public service director; that the mayor of Belleville is permitted by law to, and, in fact, former mayors have engaged in, other vocations; and that there are no changes in Calhoun's plans for employment as public service director. An affidavit by Mr. Calhoun supporting these allegations is attached to this answer. The record shows that Mr. Calhoun is to be employed on a full-time basis by Belleville as its public service director. In the proposed decision in this proceeding, the Commission considered this fact; the experience of Mr. Calhoun as the superintendent of the grade schools in Belleville; the extent to which Calhoun had participated in community affairs; the responsibilities assigned to Calhoun as public service director; and, taken in conjunction with the program proposals and the record of Robert L. Kern and the Belleville News-Democrat for public service, concluded that they constituted a "fairly full measure of assurance that the proposed station will actually be an outlet for community self-expression." The position of public service director was the only staff position filled. Since the participation of Calhoun was a factor considered by the Commission, the further hearing should also provide for a determination of his plans for participation in view of his election to the office of mayor of Belleville.

6. In view of the foregoing circumstances, we believe that the motion to reopen the record and supplemental motion to reopen the record filed by WTMV should be granted insofar as they request that the proposed decision be set aside,

and that the record be reopened for further proceedings. However, the proposed decision, insofar as it pertains to the application of Hobart G. Stephenson, Jr., should be made final and that application denied.

7. *Accordingly, it is ordered,* This 14th day of July, 1949, that the proposed decision in the above-entitled proceeding insofar as it pertains to the application of Hobart G. Stephenson, Jr., St. Louis, Missouri (Docket No. 8652) is made final, and that the application of Hobart G. Stephenson, Jr., is denied.

8. *It is further ordered,* That the above-described motion and supplemental motion to reopen the record in this proceeding filed by On The Air, Inc. (WTMV), insofar as they request that the proposed decision be set aside are granted; that the above-described petition to dismiss the WTMV motion to reopen the record filed by Belleville News-Democrat is denied; that the proposed decision insofar as it pertains to the applications of Belleville News-Democrat (Docket No. 7844) and On The Air, Inc. (WTMV) (Docket No. 8704), is set aside; that Belleville News-Democrat is afforded an opportunity to amend its application to specify a proper site within sixty days from the release of this order; and that upon the acceptance of such amendment by Belleville News-Democrat, the proceeding will be scheduled for further hearing.

Released: July 18, 1949.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-6049; Filed, July 22, 1949; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1215]

IROQUOIS GAS CORP.

ORDER FIXING DATE OF HEARING

On May 31, 1949, Iroquois Gas Corporation (Applicant), a New York corporation having its principal place of business at Buffalo, New York, filed an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 16, 1949 (14 F. R. 3267).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on August 11, 1949, at 9:30 a. m. (edst), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: July 19, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6038; Filed, July 22, 1949; 8:47 a. m.]

[Docket No. G-1225]

NORTH CENTRAL GAS CO.

ORDER FIXING DATE OF HEARING

JULY 18, 1949.

On June 20, 1949, North Central Gas Company (Applicant) filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of facilities, subject to the jurisdiction of the Commission, for the transportation and sale of natural gas, as is more fully described in the application on file with the Commission and open to public inspection.

Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure; and no request to be heard or protest has been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 2, 1949 (14 FR 3692-3693).

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 28, 1949, at 9:45 a. m., e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: July 19, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-6037; Filed, July 22, 1949; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2175]

COLUMBIA GAS SYSTEM, INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 19th day of July 1949.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, having filed a declaration, and amendments thereto, pursuant to section 7 of the Public Utility Holding Company Act of 1935 with respect to the issue and sale by Columbia, pursuant to the competitive bidding requirements of Rule U-50, of $13,000,000 principal amount of Debentures due August 1974, the proceeds of which will be used to finance in part the 1949 construction program of the Columbia system and its underground gas storage program; and said declarant having requested that the Commission's order permit shortening the ten-day period for inviting sealed bids pursuant to Rule U-50; and

Said declaration having been duly filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said declaration within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of Debentures shall not be consummated until the results of competitive bidding shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the

light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

It is further ordered, That the ten-day period for inviting sealed bids pursuant to Rule U-50 with respect to the said debentures due August 1974 be, and hereby is, shortened to seven days, so that bids may be opened on July 26, 1949.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of legal fees and expenses to be incurred in connection with the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-6036; Filed, July 22, 1949; 8:46 a. m.]

UNITED STATES MARITIME COMMISSION

AMERICAN PRESIDENT LINES, LTD.

NOTICE OF HEARING ON APPLICATION

By notice in FEDERAL REGISTER of May 18, 1949 (14 F. R. 2620) the Commission announced an administrative hearing to determine, pursuant to American President Lines' operating-differential subsidy contract, whether written consent should be granted to permit that company to operate an unsubsidized service, i. e., Freight Service "C-2", Trade Route No. 17, beyond December 31, 1949. This hearing is scheduled to begin on September 13, 1949, at 10 o'clock a. m. (e. d. t.) in Room 4823, Commerce Building, Washington, D. C.

Since this service, which in part is intercoastal between Pacific and North Atlantic ports, may affect the interests of existing domestic intercoastal carriers, on June 28, 1949, the Commission, on motion of its counsel, ordered a statutory hearing pursuant to section 805 (a), Merchant Marine Act, 1936, as amended, such hearing to cover all questions presented by that section, including, among other things, whether permission to operate the proposed service would result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or whether it would be prejudicial to the objects and policy of said act. The hearing was ordered to be consolidated with the aforementioned administrative hearing.

On or before August 15, 1949, all persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this matter may file with the Commission written request to appear and be heard. The consolidated hearing will be conducted in accordance with the Commission's rules of procedure (12 F. R. 6076).

By order of the United States Maritime Commission.

Dated: June 28, 1949.

[SEAL] R. L. MCDONALD, *Assistant Secretary.*

[F. R. Doc. 49-6042; Filed, July 22, 1949; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13503]

FRANK SIERT ET AL.

In re: Frank Siert, plaintiff vs. Frederick Siert et al., defendants. File D-28-12627; E. T. sec. 16805.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Olga Koencke Hansen, Eduard Koencke, Helga Koencke Kliem, Johann Siert, Marie Koch Holm, Elise Koch Karst, Maria Siert, Catharina Siert Holm, Jorgen Siert, Detlef Koll, Wiebke Koll Luthje, Margaretha Koll Vogt, Anna Siert, and Kaethi Koch, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof and each of them, in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled: "Frank Siert, Plaintiff, vs. Frederick Siert, et al. Defendants," in the District Court of Washington County, State of Nebraska, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by C. J. Schmidt, Referee in Partition, acting under the judicial supervision of the District Court of Washington County, State of Nebraska;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 49-6051; Filed, July 22, 1949; 8:50 a. m.]

[Vesting Order 13543]

GUSTAV E. RICHTER

In re: Estate of Gustav E. Richter, deceased. File No. D-28-7293; E. T. sec. 8906.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Willi Richter, Max Richter, Erna Richter, Helga Richter, Bruno Helmut Richter, and Elfrieda Richter, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Bruno Richter, deceased, and each of them, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Gustav E. Richter, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Charles Michalske, as administrator, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Cuyahoga;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Bruno Richter, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 13, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 49-6054; Filed, July 22, 1949; 8:51 a. m.]